

**32B-4-422 Unlawful dispensing.**

- (1) For purposes of this section:
  - (a) "Primary spirituous liquor" means the main distilled spirit in a beverage.
  - (b) "Primary spirituous liquor" does not include a secondary alcoholic product used as a flavoring in conjunction with the primary distilled spirit in a beverage.
- (2) A retail licensee licensed under this title to sell, offer for sale, or furnish spirituous liquor for consumption on the licensed premises, or staff of the retail licensee may not:
  - (a) sell, offer for sale, or furnish a primary spirituous liquor to a person on the licensed premises except in a quantity that does not exceed 1.5 ounces per beverage dispensed through a calibrated metered dispensing system approved by the department;
  - (b) sell, offer for sale, or furnish more than a total of 2.5 ounces of spirituous liquor per beverage;
  - (c) allow a person on the licensed premises to have more than a total of 2.5 ounces of spirituous liquor at a time; or
  - (d)
    - (i) except as provided in Subsection (2)(d)(ii), allow a person to have more than two spirituous liquor beverages at a time; or
    - (ii) allow a person on the premises of the following to have more than one spirituous liquor beverage at a time:
      - (A) a full-service restaurant licensee;
      - (B) a person operating under a full-service restaurant sublicense;
      - (C) an on-premise banquet licensee;
      - (D) a person operating under an on-premise banquet sublicense; or
      - (E) a single event permittee.
- (3) A violation of this section is a class C misdemeanor.

Amended by Chapter 307, 2011 General Session